



13281 U.S.PTO

Attorney Docket No: U016 (BPAY.0050000)

PATENT

Mail Stop Patent Application
 Commissioner for Patents
 Alexandria, VA 22313-1450

17548 U.S.PTO
10/840239

UTILITY PATENT APPLICATION TRANSMITTAL

Transmitted herewith for filing is a U.S. Non-Provisional Utility Patent Application entitled:

A SYSTEM AND METHOD FOR UPGRADING BIOMETRIC DATA

naming as inventors: Timothy L. Robinson
 Bradford R. Schildt
 Tennille V. Goff
 Daniel J. Corwin

and including:

(11) pages of description (before the claims); (6) pages of claims ((54) total claims, (6) independent claims));
 One (1) Sheet of Abstract; and (4) sheet(s) of drawing(s).

1. Also enclosed are:

- Executed Declaration
- Assignment and Assignment Recordation Cover Sheet
- Power to Prosecute with copy of Assignment
- Assertion of Entitlement to Small Entity Status
- Information Disclosure Statement
- Nonpublication Request and Certification
- Credit Card Payment Form for the total fee as calculated below
- (2) Return receipt postcards

2. The filing fee has been calculated as follows [] and in accordance with the enclosed preliminary amendment:

| CLAIMS AS FILED | | | | |
|---|-----------|-----------|---------|------------------|
| FOR | NO. FILED | NO. EXTRA | RATE | FEE |
| Total Claims | 54 | 34 | \$9.00 | \$ 306.00 |
| Independent Claims | 6 | 3 | \$43.00 | \$ 129.00 |
| Multiple Dependent Claims (if applicable) | | | | |
| Assignment Recording Fee | | | | |
| Basic Filing Fee | | | | |
| | | | | Total Filing Fee |
| | | | | \$ 860.00 |

This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.

Authorization to charge a credit card for the total fee is attached.

6. Please direct all correspondence concerning this application to:

Law Office of Duane S. Kobayashi
 1325 Murray Downs Way
 Reston, VA 20194
 Tel: 703-464-7902
 Fax: 703-935-0276

CUSTOMER NUMBER: 34611

| | |
|--|---|
| <p>Dated: <u>5/7/04</u></p> <p>Law Office of Duane S. Kobayashi 1325 Murray Downs Way Reston, VA 20194 703-464-7902 (Phone) 703-935-0276 (fax)</p> | <p>Respectfully submitted,</p> <p>By:  Duane S. Kobayashi Reg. No. 41,122</p> |
|--|---|

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

| | |
|----------------------|--|
| First Named Inventor | Robinson |
| Title | A System and Method for Upgrading Biometric Data |
| Atty Docket Number | U016 (BPAY.0050000) |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

5/7/04

Date



Signature

Duane S. Kobayashi

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**